IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 10TH AUGUST 2007 / 19TH SRAVANA 1929

Tr.P(C).No. 130 of 2007()

OS.169/2006 of PRINCIPAL SUB COURT,ALAPPUZHA

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PETITIONER:

POLY KURIAN AYYAMPILLY,S/O.LATE P.A.KURIAN,BUSINESSMAN, AGED 41, RESIDING AT AYYAMPILLY HOUSE,THURAVOOR P.O., AND VILLAGE,ANGAMALY,ALUVA TALUK, ERNAKULAM DISTRICT.

BY ADV. SRI.P.C.CHACKO(PARATHANAM)

RESPONDENTS:

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1. **PURUSHOTHAMAN,S/O.KUNJU PANICKER, AGED 84 YEARS, RESIDING AT PALAPARAMBIL HOUSE, KIDANGARA MURI,VELIYANADU VILLAGE, KUTTANADU TALUK,ALAPPUZHA DISTRICT.**

2. **P.P.MADUSOODANAN,S/O.PURUSHOTHAMAN, AGED 44, RESIDING AT PALAPARAMBIL HOUSE, KIDANGARA MURI,VELIYANADU VILLAGE,KUTTANADU TALUK, ALAPPUZHA DISTRICT.**

3. **ABRAHAM,S/O.THOMAS,AGED 60, PATTANATHUSSERI PUTHENPURAYIL,KIDANGARA MURI, VELIYANADU VILLAGE,KUTTANADU TALUK, ALAPPUZHA DISTRICT.**

4. **JESSY GEORGE,W/O.LATE GEORGE VADAKARA, KIDANGARA,ALAPPUZHA DISTRICT.**

BY ADV. SRI.T.G.RAJENDRAN for R1 & R2

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 10/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J.

Tr.P.C.No. 130 OF 2007

Dated this the 10th August, 2007

JUDGMENT

This transfer petition is filed with a prayer to transfer O.S.169/06 to any of the Sub Courts other than in Alappuzha centre for further proceedings. At the outset I may like to state these type of apprehensions raised without factual backing are quite unfortunate and it really puts an inroad into the credibility of the system. The ground alleged for transfer is that the second defendant in the suit is a practising Lawyer at Alappuzha. Under ordinary circumstances I would have dismissed the application but by filing of transfer applications the petitioner has created an apprehension in the mind of the judicial officer and therefore, in order to avoid further complications I am inclined to effect a transfer. Therefore O.S.169/06 pending before the Principal Subordinate Judge, Alappuzha is transferred to the Subordinate Judge's Court at Cherthala.

M.N.KRISHNAN
Judge

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